

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

IN RE: EX PARTE APPLICATION OF  
LAURA ZUNIGA CACERES,  
BERTHA ZUNIGA CACERES, AND  
SALVADOR ZUNIGA CACERES  
FOR ASSISTANCE BEFORE A  
FOREIGN TRIBUNAL

CIVIL ACTION NO. 1:19MC405-LG-RHW

**ORDER GRANTING MOTION TO FILE REPLY**

Before the Court is Applicants' motion for leave to file a reply in support of its motion for discovery. Doc. [23]. With leave of Court, on August 23, 2019, Tanya Romero-Baca filed a response in opposition to Applicants' motion for discovery. Doc. [17]. Pursuant to Local Rule 7(b)(4), Applicants' reply would have been due seven days after Romero-Baca's response. In other words, a timely reply should have been filed by August 30, 2019. Applicants filed the instant motion for leave to file a reply on September 17, 2019. In essence, Applicants request permission to file an out-of-time reply. Romero-Baca argues that Applicants' reply is untimely and therefore should be denied. In the alternative, if Applicants' motion is granted, Romero-Baca requests leave to file a sur-reply. Doc. [24].

The Court finds that Applicants' motion should be granted. Romero-Baca's request to file a sur-reply is denied at this time. *See Lacher v. West*, 147 F.Supp.2d 538, 539 (N.D.Tex. 2001) (sur-replies are "highly disfavored, as they usually are a strategic effort by the nonmovant to have the last word on a matter"); *Warrior Energy Servs. v. ATP Titan M/V*, 551 Fed. App'x 749, 751 n.2 (5th Cir. 2014). Romero-Baca has offered no adequate explanation for granting leave to file a sur-reply.

IT IS THEREFORE ORDERED AND ADJUDGED that Applicants' [23] Motion is GRANTED.

SO ORDERED AND ADJUDGED, this the 23rd day of September 2019.

/s/ *Robert H. Walker*

ROBERT H. WALKER  
UNITED STATES MAGISTRATE JUDGE